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Editor:

A couple of weeks ago James J. Kilpatrick, an avid defender of the Old South, published in a Bay Area paper a column entitled, "It May Take an Amendment to Put a Stop to Busing." In it Kilpatrick pulled out the stops once again in demonstrating his savage segregationist leanings. The "forced" busing situation has become so desperate that we need to reconsider how we got where we are.

Not only does Kilpatrick (no lawyer) show us how the Supreme Court makes "a mockery of the supreme law of the land," but in his legal wisdom he tells Congress exactly how to get around the Court. Unfortunately, Kilpatrick does not come into the court of public opinion with clean hands.

IT WAS HIS kind back in the days of massive resistance who wrote that the 1954-55 decisions

were the law of the case and not the law of the land.

While writing for the Richmond News-Leader in 1955 he came up with the "brilliant" historical proposal of INTERPOSITION to stop desegregation. No one took him seriously (or has since Appomattox) except a few zealots such as Governor Barnett of Mississippi who used it to stir up a holocaust.

Have we forgotten already that the Supreme Court was pushed step by step into ordering busing because of the illegal tactics of bitter resisters, mainly in the South? Do we forget freedom of choice? A subterfuge. Pupil assignment? A fraud. The sanctity of neighborhood schools? A piety with some substance.

All of these seemingly innocuous devices were combined with ugly brutality (surely we remember!) to obviate the impact, that is, to negate the 1954

ruling. Even President Eisenhower used paratroops finally to uphold the Supreme Court. And so the Court was shoved to the wall by massive resistance and came up with "forced" busing.

THE PROBLEM of neighborhood schools is a grievous one.

As a member of the Human Relations Council of South Bend, Ind., I saw the all-black Linden school dismantled, much to the chagrin of many black mothers, fathers and children.

But the purpose there and then was not so much to improve the educational opportunity of the blacks (worthy as that objective might have been) as to let the black child see the white child at close quarters day by day with the possibility of his being motivated to make the effort to rise above the ghetto.

KILPATRICK has fought change all the way.

He has none of the mellow or

moral apparel he wants us to see himself clothed in. He was a segregationist pure and simple (editor of *The Case for Segregation*), and born a few years earlier he would have

made a philosophic defense of slavery. But he would have called it, along with Henry Hughes, warranteeism.

—James W. Silver
Professor of History